

Defendant.

$$\begin{array}{c}) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

CV NO: 3:16-CV-01917-MHH

DEFENDANT JPMORGAN CHASE BANK, N.A.’S
MOTION FOR SUMMARY JUDGMENT

Defendant JPMorgan Chase Bank, N.A. (“Chase”), improperly named in the Amended Complaint as JP Morgan Chase Bank, by and through undersigned counsel, and pursuant to Rule 56 of the *Federal Rules of Civil Procedure* move this Honorable Court for an order of summary judgment in their favor as to the seven remaining claims in Plaintiff Rufus J. Harris, Jr. and Rosetta Harris (Plaintiffs”) Amended Complaint—Breach of Contract (Count Six), False Light (Count Eight), Defamation/Libel/Slander (Count Nine), violations of the Real Estate Settlement Procedures Act (“RESPA”) (Count Eleven), violations of the Fair Credit Reporting Act (“FCRA”) (Count Twelve), violations of the Fair Debt Collection Practices Act (“FDCPA”), and claim for Declaratory Relief (Count Sixteen).

In support of this Motion, Chase relies upon the pleadings, the depositions and exhibits attached to the Evidentiary Submission (D.E. 52), and its

Memorandum of Law in Support of Summary Judgment filed contemporaneously herewith. These materials and evidence establish that the material facts of this case are undisputed and that Chase's Motion for Summary Judgment is due to be granted as a matter of law.

Dated: December 18, 2017

Respectfully submitted by,

/s/ Joshua R. Hess

John David Collins

Joshua R. Hess

*Attorneys for Defendant JPMorgan
Chase Bank, N.A.*

OF COUNSEL:

MAYNARD, COOPER & GALE, P.C.

1901 Sixth Ave. North

Birmingham, AL 35203

Telephone: 205.254.1000

Fax: 205.254.1999

CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2017, a copy of the foregoing has been served on the following counsel for by using the CM/ECF system and/or U.S. Mail, postage prepaid and properly addressed:

Kenneth James Lay
HOOD & LAY, LLC
1117 22nd Street South
Birmingham, Alabama 35205

/s/ Joshua R. Hess

OF COUNSEL